

communication that Metropolitan Life submitted in answer to the department's inquiries under article 1.24 of the Insurance Code. Gov't Code § 552.101.

Metropolitan Life has listed numerous documents that it asserts contain privileged attorney-client communications. On some of the documents, Metropolitan raises the attorney-client privilege as to only one paragraph and on some Metropolitan Life asserts the privilege as to only the handwritten portions of the document. We have marked the privileged attorney-client communications that the department must withhold pursuant to section 552.101 of the Government Code in conjunction with article 1.24 of the Insurance Code.

We note that the department submitted information as "representative samples" of the requested information. The department did not submit every document that Metropolitan Life listed in its letter to this office as containing privileged attorney-client communications. Thus, in reaching our conclusion here, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988) (where requested documents are numerous and repetitive, governmental body should submit representative sample; but if each record contains substantially different information, all must be submitted). This open records letter does not reach, and therefore does not authorize the withholding of any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Kay Guajardo
Assistant Attorney General
Open Records Division

KHG/MAR/rho

Ref.: ID# 27976

Enclosures: Marked documents

cc: Mr. Joe K. Crews
Pluymen & Ivy, P.C.
Westpark 2, Suite 150
8140 N. MoPac Expressway
Austin, Texas 78759-8860
(w/o enclosures)

Mr. Oscar Mauzy
3200 Guadalupe Street, Suite 204
Austin, Texas 78701
(w/o enclosures)

Mr. George M. Cowden
Naman, Howell, Smith & Lee
1900 Bank One Tower
221 West Sixth Street
Austin, Texas 78701-3485
(w/o enclosures)

Mr. Kyle Gesswein
Bates Law Firm
P.O. Box 305
Las Cruces, New Mexico 88004-0305
(w/o enclosures)

Sandra C. Carroll, Esquire
Perenick, Carroll, Perenick, Avril & Caulfield, P.A.
Personal Injury Attorneys
1875 North Belcher Road, Suite 201
Clearwater, Florida 34625
(w/o enclosures)